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# Sexual Assault Incident Management Model

A Statewide System  
For Responding To  
Allegations Of Sexual Assault

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Developed by the  
Office of Quality Assurance, DDD  
Sexual Assault and Trauma Resource Center  
DD Community Agencies

## Sexual Assault Incident Management Model

*The attached information is a description of the specific steps employees of agencies providing services to individuals with developmental disabilities and staff from MHRH Division of Developmental Disabilities should follow for serious incidents of allegations of sexual assault involving an adult with a developmental disability.*

The purpose of this model is to establish a coherent and responsive process for responding to allegations of sexual assault by:

- *Providing immediate support to the victim;*
- *Minimizing the number of times the victim has to be interviewed about what happened;*
- *Identifying the Office of Quality Assurance, Division of Developmental Disabilities (DDD), as providing a single point of contact through which to coordinate the Sexual Assault Incident Management Model;*
- *Providing staff from agencies with a protocol to follow to obtain “Minimal facts: form a person who discloses a sexual assault; and,*
- *Utilizing the expertise of staff from the Sexual Assault and Trauma Resource Center/Children’s Advocacy center or other Trained investigator to collaborate with local police departments and the office of the Attorney General to conduct a criminal investigation and a forensic interview with the victim if necessary.*

A dedicated and dynamic committee, which included the following people, worked collaboratively over the past year to develop this model and approach:

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Doug Stone, Division of Developmental Disabilities, *Chairperson*

## Sexual Assault Incident Management Model

### **AGENCY PROTOCOL**

Note: The following steps generally occur within the first 24 hours of a disclosure of an incident of sexual assault to any person or staff suspects an incident. Some of these steps may be occurring simultaneously. Employees must respond as quickly as possible, in order to facilitate the process of ensuring that the victim is safe from any further harm. Formal action may be taken through an investigation to determine the facts of the incident.

#### **Step 1: Sexual Assault is Suspected**

- If anyone has reason to know or suspect that a sexual assault has or may take place he/she should utilize the process detailed below.

#### **Step 2: Managing the Disclosure**

- No one in your agency should conduct a detailed interview with the victim.
- Your role and responsibility is to obtain the minimal facts while maintaining a supportive, non-judgmental demeanor.
- Identify an individual to approach the victim in a private space to initiate a brief discussion and listen to what he/she would like to disclose about what happened using the “MINIMAL FACTS PROTOCOL” (See attached).
- Inform the victim of your responsibility to report the disclosure to your supervisor and to the Division of Developmental Disabilities’ Office of Quality Assurance.
- Involve the victim in the process to the extent possible.
- Inform the victim of what will happen next.
- Maintain confidentiality and contain the information about the disclosure *only to people who must know about it.*

#### **Step 3: Staff Immediately Contacts Supervisor/Administrative Staff About the Disclosure**

- The staff person involved in the disclosure should follow the internal policies of the agency for notification of supervisory/administrative staff regarding Serious Incidents.
- Document on your agency’s incident report form a description of what the person disclosed using the same exact language that the person used.

#### **Step 4: Contact the Office of Quality Assurance (QA)**

- The staff person involved in the disclosure, or his/her supervisor should immediately call the DDD Office of QA to report the allegation of sexual assault and obtain guidance and direction regarding:
  - Specific action to be taken to implement this Model
  - Procedures for informing the police
  - Resources for assisting the victim

- The Office of QA telephone number is 462-2629. (*A 24 hour pager or cell phone number is available after normal work hours through calling the QA Office line at 462-2629.*) A staff person from QA will be assigned as your primary contact person to assist you throughout this process and provide ongoing communication with you on the status of the investigation and any guidance, as necessary.

#### **Step 5: Follow Medical Protocol**

- The supervisory staff person should review the Medical Protocol (See attached) and make a determination as to what steps are necessary to follow.
- If medical attention is necessary, an individual should be identified to take the victim to a hospital (preferably Women and Infants).
- A call should be made to the hospital to notify them that the victim will be coming to the hospital in order to ensure privacy and expedite the process and examination that will occur.
- The Victims of Crime Help line can be contacted to access an advocate from the Sexual Assault and Trauma Resource Center (SATRC) to meet the victim at the hospital, if needed. The number to call is 1-800-494-8100. The advocate is trained to assist victims by providing support.
- If the person will be going to the hospital, the staff person must bring a copy of the RI Department of Health's "Continuity of Care Form" (formerly the "Interagency Transfer Form") to give to personnel at the emergency room so as to ensure documentation of the examination process and any follow up necessary.

#### **Step 6: Police Notification/Coordination**

- If the police did not come to the hospital to take information from the victim, then the victim needs to go to the police department in the town in which the incident occurred to file a report if he/she want the incident to go forward as a possible criminal complaint.
- *The Quality Assurance staff person assigned will assist the agency, if necessary, by telephoning the local police to establish a formal relationship, inform them of the incident, obtain specific information regarding the process, and identify the location to which the victim should go. The QA person will also talk with the local police department about the relationship established with the SATRC and discuss the process, which may or may not be necessary, to videotape a more detailed interview with the victim at the SATRC. The QA staff person will provide the agency staff person with guidance in this area, if necessary.*
- Assist the victim to file a formal complaint with the local police department. (A "complaint" is factual information about the incident, which is provided by the victim to the police.) A complaint must be filed by the victim in order for any possible criminal action to proceed. A complaint is assigned a complaint number. An officer is assigned to handle the case. This officer will work collaboratively with the QA staff assigned, as well as the staff from the SATRC if a more detailed interview with the victim is necessary.

### **Step 7: Administrative Action**

Supervisory Staff should follow any internal policies of the agency or the following as listed below:

- Specific action to keep the person safe from any further harm and to develop a safety plan, as necessary;
- Any administrative action that may be necessary;
- Securing the scene of the incident and preserving any possible evidence until the police arrive (“Establish Chain of Custody”);
- Notification about the incident to (a) family member(s);
- Notification to other authorized individuals, i.e. Human Rights Committee Chairperson, etc.;
- Identifying an individual to accompany the victim to the SATRC to provide a more detailed interview about the incident, if necessary. (This is a videotaped forensic interview, which is conducted by a trained investigator. It is a fact-finding interview to obtain specific information about what happened. The interview is approximately 1-1 1/2 hours long.) Prior to the interview a multidisciplinary team meeting occurs to discuss background information on the victim and strategies for conducting the interview. The team generally includes the detective/police officer, prosecutor from the Attorney general’s Office, QA staff person, agency staff, and investigator from SATRC. *(Note: One agency representative is sufficient for this meeting.)*
- Contacting the Division of Developmental Disabilities’ Social Service Community Support Worker to discuss the victim’s needs, and options for any immediate or ongoing counseling or supports as necessary; and maintaining ongoing communication with Office of QA primary contact person to be informed on the status of the investigation process and for direction regarding further action that may be necessary.

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### **MINIMAL FACTS INTERVIEW PROTOCOL**

*When an adult with a developmental disability discloses to someone that he/she may have been involved in an incident that may be a sexual assault, it is important that basic information be obtained to provide immediate support to the person and to properly classify the incident. In order to do this a “Minimal Facts Interview” must take place. This interview may be followed by a more in-depth forensic interview conducted by a trained forensic investigator.*

**A Minimal Facts Interview can be done by the person to whom the individual with a disability initially discloses the information (which in most situations is a direct care/support person from the agency) or by someone else who is knowledgeable about this protocol.**

Minimal Facts shall include obtaining as much of the following information from the person as you can:

- 1. What happened?**
- 2. Where did it happen? What city/town? (Important for police jurisdiction)**
- 3. When did it happen? (Important for medical attention and securing the scene)**
- 4. Who was involved? (alleged perpetrator, witness (es))**

It is important that the person who is collecting the Minimal facts understand that he/she should NOT get DETAILED information about the incident. (This will be collected by an investigator who is trained in this area such as a forensic interviewer from the sexual Assault and Trauma Resource Center/Children’s Advocacy Center, the police or QA staff.)

The person should never ask the question “*WHY*” the incident occurred. This implies blame. In addition the person should be careful to only ask the “*What, Where, When and Who*” questions listed above and not ask the individual leading or suggestive questions, administrative action or criminal proceedings.

The person who has gathered the information from the Minimal Facts Interview should document what the victim has disclosed and immediately contact his/her supervisor to share what the individual involved has said. The agency is responsible for ensuring the victim is safe from any further harm and for any other administrative action that may be necessary. The Division of Developmental Disabilities’ Office of Quality Assurance (QA), should be immediately contacted to report that an alleged sexual assault may have occurred. QA will be responsible for coordinating the formal investigation process and providing any direction/guidance to the agency that may be necessary.

## Sexual Assault Incident Management Model

### **Responsibilities of the Office of Quality Assurance, Division of Developmental Disabilities**

Note: *It is the role of QA to coordinate the process for Sexual Assault Incident Management by acting as a liaison with the various clinical, legal, and state agencies that are directly involved with investigations on allegations of sexual assault. QA staff will act as a resource to community agencies and work collaboratively with the Children's Advocacy Center, police and AG's Office to initiate the investigation process and to provide support and guidance to staff within community agencies.*

#### **Step 1: Immediate action taken by Quality Assurance to coordinate:**

- Providing direction and guidance to the community support agency staff on the necessary steps and process to follow to ensure the safety of the victim and to initiate a formal investigation, including:
- Notifying Department of the Attorney General, as appropriate; Human Rights Chair; and Division of Developmental Disabilities' Social Services/Community Support Worker;
- Establishing immediate contact with the Children's Advocacy Center (CAC) from the SATRC to initiate referral for forensic interviewing of the victim; and,
- Follow up with the police, etc. to be available to act as a resource and discuss the process of collaborating with the CAC on the investigation.

#### **Step 2: Prior to interviewing the victim, Quality assurance will assist CAC to coordinate/schedule a TEAM MEETING Including ALL persons with a "need to know" which include:**

- Police, Department of the Attorney General, CAC staff from the Sexual Assault and Trauma Resource Center
- Agency representative, Social Services/DDD, family and other significant person/people in the victim's life, as appropriate

#### *Purpose of meeting:*

- *Get a better understanding of the victim, his/her background, language used, etc.*
- *Develop interview questions.*
- *Discuss ongoing treatment issues.*
- *Determine who will conduct the interviews with victim witness (es), perpetrator,*
- *Identify resources, as necessary.*

**Step 3: CAC schedules the detailed forensic interview with victim who will be videotaped**

- Forensic interview takes place at the CAC
- Members of the multidisciplinary investigative team observe the interview
- Team meets briefly after interview to identify next steps.

**Step 4: Other interviews scheduled**

- QA identifies, in collaboration with the police and/or AG's Office, a trained investigator to conduct interviews with any possible witness and alleged perpetrator, if known.
- Statements taken.

**Step 5: Communication with agency contact person**

- Quality Assurance staff person updates agency contact person re: status of the investigation process and whether or not the preliminary investigation findings will result in referral for criminal proceedings.

**Step 6: Investigation process complete**

- Quality Assurance develops Final Investigation Report
- Agency informed of outcome/status and any further action (criminal prosecution)
- Victim informed of outcome/status



## **Medical Protocol**

*It is critical that an individual who has been involved in a sexual assault obtain medical attention immediately or as quickly as possible. This is important because the examination may show that the person has experienced some trauma, injuries, etc., may have a sexually transmitted disease or, if a woman may be pregnant. There may be some physical evidence which can be used as part of the formal investigation process.*

The steps that should be followed include the following:

- Either an agency staff person, family member or the Quality Assurance staff person assigned should contact the hospital prior to the victim arriving at the hospital. This is intended to alert hospital staff that the person is coming in for a medical examination and to facilitate privacy and confidentiality. *Note: Women and infant's Hospital (274-1100) in Providence is the recommended place to go to because they have the most experience with victims of sexual assault.*
- Bring the RI Department of Health's "Continuity of Care Form" (See attached) and give this to the hospital personnel to complete.
- If the person is wearing the clothes he/she had on when the sexual assault occurred then he/she should not change their clothes to go to the hospital. The person can bring a change of clothes to put on after the medical examination has been completed. The clothing will be taken and sent to DOH for examination as possible evidence. They will not be returned to the person.
- Prior to the medical examination personnel from the hospital will ask the person questions about what happened with the sexual assault. It is important to let the person answer these questions in their own words. Do not speak for a person. You can provide some assistance by helping the hospital staff to understand the best way to communicate with person.
- The purpose of the medical examination is to document the extent of the sexual assault. If the incident occurred within 72 hours, a Rape Kit will be administered. If the incident has occurred outside the 72 hour window, a medical examination is still essential to evaluate for possible pregnancy, risk for sexually transmitted disease(s), HIV and to note any injuries or trauma.

*Note: This process at the hospital may take from 2-6 hours depending on how quickly the person is examined by medical personnel and whether or not the local police come to the hospital to take an initial report from the victim.*

Rhode Island Department of Health Continuity of Care Short Form	
<p>Date: _____</p> <p>Patient Name: _____ <u>                    </u></p> <p>Phone: _____ Floor/Unit/Room: _____</p> <p>Facility Contact: _____</p>	<p>Patient going to: _____</p> <p>Address: _____ <u>                    </u></p> <p>Phone: _____</p> <p>Attending Physician: _____</p> <p>Phone: _____ <u>                    </u></p> <p>Next of Kin: _____</p> <p>Relationship: _____</p> <p>Phone: _____</p>
<p>Attach the following:</p> <p><input type="checkbox"/> Face Sheet/Demographic Sheet</p>	